



2815
Atty. Dkt. No. 025311/0105

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Ichiro OKABE *et al.*

Title: METHOD OF FORMING A FINE PATTERN, AND
METHOD OF MANUFACTURING A SEMICONDUCTOR
DEVICE, AND A SEMICONDUCTOR DEVICE HAVING A
FINE PATTERN

Appl. No.: 09/597,161

Filing Date: June 20, 2000

Examiner: Jose R. Diaz

Art Unit: 2815

17/Response
J. Steptue
1/30/03
RECEIVED
JAN 27 2003
TECHNOLOGY CENTER 2800

REPLY UNDER 37 C.F.R. § 1.111

Commissioner for Patents
Washington, D.C. 20231

Sir:

In reply to the Office Action mailed on October 25, 2002, please consider the following remarks.

REMARKS

Claims 1, 3, and 5 are pending in the present application. No amendments are presented herein.

Rejections Under 35 U.S.C. § 103(a)

In the Office Action dated October 25, 2002, claims 1, 3, and 5 were rejected under 35 U.S.C. § 103(a) as being unpatentable over EP 0 840 361 A2 (Cheung). For the following reasons, applicants respectfully traverse these rejections.

1. A Prima Facie Case of Obviousness Has Not Been Established

Applicants agree that Cheung fails to teach the claimed temperature range, wherein "the silicon-oxide-based film is formed at a temperature of 500°C or more..." In order to attempt to establish a *prima facie* case of obviousness, the Examiner states that while there is no disclosure of the claimed temperature range, the passage at Cheung col. 20, lines 32-48, "open the door to other